IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR NO. 1745 of 2006
DATE OF DECISION. 22.11.2006.

Karamjit Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr. L. M. Gulati, Advocate
Mr. Mohinder Singh Joshi, DAG,Punjab.

AJAI LAMBA , J(Oral)

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This revision is directed against judgment of conviction recorded by Judicial Magistrate Ist Class, Muksar dated 29.7.2005 whereby the petitioner has been convicted for committing an offence under Section 304 A IPC and sentenced to rigorous imprisonment for 1 year and fine of Rs. 1000/- (in default for 15 days) and under Section 279 IPC rigorous imprisonment for six month and a fine of Rs. 1,000/- (in default for 15 days) which has been confirmed by the appellate Court vide judgment dated 29.7.2006.

The judgment of conviction has not been challenged and arguments have been addressed only on the quantum of sentence.

It is pleaded on behalf of the petitioner that this is the first case against the petitioner . The petitioner is a driver by profession. He has one child and there is nobody else in the family to support the wife and child. Custody certificate is placed on record.

Considering the facts and circumstances of the case , in my considered view, the ends of justice would be served if the sentence is reduced to already undergone which is stated to be more than 5 months and

fine is enhanced to Rs. 25,000/- which on realization would be paid to Gurpreet Singh who is the son of the deceased Dev Singh. In default of payment of fine, petitioner shall undergo rigorous imprisonment for four months.

Accordingly the revision petition is dismissed with the above modification in the order of sentence.

November 22, 2006 **(AJAI LAMBA)**
mamta **JUDGE**